



# Bulletin of Rule-making Activities

June 2002

Publication: 02-01-011

## Pre-proposal Statement of Inquiry – CR-101

- Nothing to report at this time

## Proposed Rule-making Order – CR-102

- **Chapter 173–50 WAC - Accreditation of environmental laboratories**

This amendment will allow Ecology to:

- Grant accreditation for tests on matrices other than water, for physical tests, and for drinking water tests.
- Grant accreditation as a National Environmental Laboratory Accreditation Program (NELAP) accrediting authority.
- Collect sufficient fees to make the accreditation program self supporting.

Filed with the Office of the Code Reviser on May 22, 2002. For more information contact Perry Brake at (360) 895-6149 or [pbra461@ecy.wa.gov](mailto:pbra461@ecy.wa.gov) or visit <http://www.ecy.wa.gov/laws-rules/activity/wac17350.html>.

- **Chapter 173-303 WAC - Dangerous Waste Regulations**

This rule-making is proposing to adopt a conditional exclusion for controlled substances based on an emergency rule that was adopted on January 25, 2002, and to make technical corrections.

Filed with the Office of the Code Reviser on May 20, 2002. For more information contact Patricia Hervieux at (360) 407-6756 or [pher461@ecy.wa.gov](mailto:pher461@ecy.wa.gov) or visit <http://www.ecy.wa.gov/laws-rules/activity/wac173303.html>.

## Proposed Expedited Rule-making Order – CR-105

- Nothing to report at this time

## Rule-making Order – CR-103

- **Chapter 173-422 WAC, Motor vehicle emission inspection**

This rule making will:

- Upgrade emission testing procedures for diesel cars and light trucks.
- Clarify that all emission tests are valid for at least twelve months.
- Require automotive repair businesses to be able to check the on-board diagnostic system of 1996 and newer vehicles if they wish to be on the list of shops given to owners of failed vehicles.
- Remove obsolete language.

Filed with the Office of the Code Reviser on June 2, 2002. For more information contact John Raymond at (360) 407-6856 or [jray461@ecy.wa.gov](mailto:jray461@ecy.wa.gov) or visit <http://www.ecy.wa.gov/laws-rules/activity/wac173422.html>.

- **Chapter 173-224 WAC, Wastewater Discharge Permit Fees**

This rule making will:

- Increase fees for FY2003 and 2004 up to the Fiscal Growth Factor limit established by OFM.
- Establish first time fees for Aquatic Pest Control Permits. Re-define how animal units are calculated.

Filed with the Office of the Code Reviser on May 30, 2002. For more information contact Bev Poston at (360) 407-6425 or [bpos461@ecy.wa.gov](mailto:bpos461@ecy.wa.gov) or visit the Wastewater/Stormwater Discharge Permit Fees web site at [http://www.ecy.wa.gov/programs/wq/permits/permit\\_fees/index.htm](http://www.ecy.wa.gov/programs/wq/permits/permit_fees/index.htm).

- **Chapter 173-222 WAC - Wastewater Discharge Permit Fees**

This rule making will repeal Chapter 173-222 WAC - Wastewater discharge permit fees which has already been replaced by Chapter 173-224 WAC - Wastewater discharge permit fees. Chapter 173-222 WAC is outdated and is no longer used by the department.

Filed with the Office of the Code Reviser on May 22, 2002. For more information contact Bari Schreiner at (360) 407-6998 or [bsch461@ecy.wa.gov](mailto:bsch461@ecy.wa.gov) or visit <http://www.ecy.wa.gov/laws-rules/activity/wac173222.htm>.

- **Chapter 173-303 WAC - Dangerous Waste Regulations - EMERGENCY**

This emergency rule applies to the proper disposal of confiscated controlled substances that are designated as dangerous waste.

Filed with the office of the Code Reviser on May 20, 2002. For more information contact Ty Thomas at (360) 407-6758 or [ttho461@ecy.wa.gov](mailto:ttho461@ecy.wa.gov) or visit <http://www.ecy.wa.gov/laws-rules/activity/wac173303.html>.

## Public Notices

- **Rule-making withdrawal for Chapter 173-700 WAC, Compensatory Wetland Mitigation Banks**

The Department of Ecology has withdrawn the CR-102 for proposed rulemaking (WSR 02-01-092) due to budget reductions. The Department may re-file a CR-102 should adequate funding be available to implement the wetland banking program rule.

Filed with the Office of the Code Reviser on May 30, 2002. For more information contact Lauren Driscoll at (360) 407-6861 or [ldril461@ecy.wa.gov](mailto:ldril461@ecy.wa.gov).

- **Notice Of Public Comment Period And Public Workshops Draft 303(D) Listing Policy**

The Water Quality Program of the Department of Ecology (Ecology) is seeking public comment on draft revisions to Program Policy 1-11, *Assessment of Water Quality for the Section 303(d) List*.

Section 303(d) of the federal Clean Water Act requires Washington State periodically to prepare a list of all surface waters in the state for which beneficial uses of the water – such as for drinking, recreation, aquatic habitat, and industrial use – are impaired by pollutants. This list was last prepared in 1998. Ecology is now beginning the process to prepare the 2002 list.

For workshop dates contact Matthew Green at (360) 407-6386 or [303d@ecy.wa.gov](mailto:303d@ecy.wa.gov) or visit <http://www.ecy.wa.gov/biblio/0210025.html>.

- **Public Comments Invited on Water Cleanup List**

The Washington Department of Ecology wants your comments on a list of priority water bodies that we have tentatively chosen for water cleanup planning during the next year. The water cleanup list will be finalized in July. Ecology reviews and responds to your comments by August 2002. The entire list of water bodies we chose from can be viewed on our website: <http://www.wa.gov/ecology/wq/303d/>.

Filed with the Office of the Code Reviser on May 22, 2002. For more information contact Ron McBride at (360) 407-6469 or [rmcb461@ecy.wa.gov](mailto:rmcb461@ecy.wa.gov).

## Rule-making Public Hearings

- **Ch. 173-401 WAC - Operating permit regulation**

- **June 14, 2002**  
2:00 PM  
Dept. of Ecology  
Auditorium  
300 Desmond Drive SE  
Lacey, WA

**Comment deadline: June 21, 2002**

- **Chapter 173-303 WAC - Dangerous waste regulations**

- **June 27, 2002**  
10:30 AM - 11:50 AM  
Washington Department of Ecology  
Auditorium  
300 Desmond Drive SE  
Lacey, WA

**Comment deadline: July 12, 2002 - 5:00 PM**

- **Chapter 173-50 WAC - Accreditation of environmental laboratories**

- **July 2, 2001**  
10:00 AM  
Eastern Washington University  
Conference Room  
705 West 1st Avenue  
Spokane, WA
- **July 3, 2002**  
10:00 AM  
Department of Ecology  
Auditorium  
300 Desmond Drive SE  
Lacey, WA

**Comment deadline: August 6, 2002**

## Rule-making Public Workshops

- Nothing to report at this time.

*Ecology is an equal-opportunity employer. For questions related to this bulletin or if you require this document in alternative format, please contact Laurie Dumar at (360) 407-6606, [ldum461@ecy.wa.gov](mailto:ldum461@ecy.wa.gov) or 711 or 1-800-877-8973 (TTY Relay Assistance). For questions related to specific rule-making please contact the person listed for each activity.*